

1 William D. Hyslop
2 Eastern District of Washington
3 David M. Herzog
4 Assistant United States Attorney
5 Post Office Box 1494
6 Spokane, WA 99210-1494
7 Telephone: (509) 353-2767

8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA,

Case No. 2:20-mj-00275-JTR

11 Plaintiff,

Motion for Detention

12 v.

13 MICHAEL THOMAS MATTERN,

14 Defendant.

15
16 The United States moves for pretrial detention of Defendant, pursuant to 18
17 U.S.C. § 3142(e) and (f).

18
19 1. Eligibility of Case. This case is eligible for a detention order because
20 the case involves (check one or more):

21 ☐ Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which
22 includes any felony under Chapter 77, 109A, 110 and 117);

23 ☐ Maximum penalty of life imprisonment or death;

24 ☒ Drug offense with maximum penalty of 10 years or more;

25 ☐ Felony, with two prior convictions in above categories;

1 ☐ Felony that involves a minor victim or that involves the possession or
2 use of a firearm or destructive device as those terms are defined in 18 U.S.C.
3 § 921, or any other dangerous weapon, or involves a failure to register under 18
4 U.S.C. § 2250;
5

6 ☒ Serious risk Defendant will flee; or
7

8 ☐ Serious risk obstruction of justice.
9

10 2. Reason for Detention. The Court should detain Defendant because
11 there is no condition or combination of conditions which will reasonably assure
12 (check one or both):
13

14 ☒ Defendant's appearance as required; or
15

16 ☒ Safety of any other person and the community.
17

18 3. Rebuttable Presumption. The United States will invoke the rebuttable
19 presumption against Defendant under 18 U.S.C. § 3142(e). The presumption
20 applies because there is probable cause to believe Defendant committed:
21

22 ☒ Drug offense with maximum penalty of 10 years or more;
23

24 ☐ An offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;
25

26 ☐ An offense under 18 U.S.C. §§ 2332b (g)(5)(B) for which a maximum
27 term of imprisonment of 10 years or more is prescribed;
28

CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2020, I electronically filed the foregoing
with the Clerk of the Court using the CM/ECF system.

s/ David M. Herzog
David M. Herzog
Assistant United States Attorney